

# Home and Community Based Services (HCBS) & The Settings Rule

## Service Users and Self-Advocates

### **Presented by:**

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# What are Home and Community Based Services?

- Home and Community Based Services are sometimes called “HCBS”
- HCBS is offered through the state by the Division of Services for People with Disabilities (DSPD)
- HCBS helps people with disabilities live in their own homes and communities



# Community

- “Community” can mean different things
  - Interacting in places, such as your job, city or neighborhood, with people of all abilities
  - People who are interested in the same things you are, whether or not they live in the same place you do



# Definitions

- A “**setting**” is where individuals live or receive services
  - Residential settings: where individuals live, like in an apartment or group home
  - Non-residential settings: where individuals receive services such as a day program or employment services
- “**Providers**” are agencies who provide services and supports that help individuals with disabilities
- “**Supports**” are the help or tools that you need to do something successfully
- “**Support coordinators**” are people who help individuals with disabilities write a yearly service plan and make sure they get the supports they need

# What is the HCBS Settings Rule?

- In 2014, the Settings Rule was announced
  - Set of rules that providers, support coordinators, and states must follow in regards to:
    - HCBS settings - Residential and Non-Residential Services
    - Person Centered Planning (PCP) process
- The Settings Rule was created for people who receive HCBS and in response to self-advocates' desire for more choice in where they live, work, and socialize

# Standards for HCBS Settings

The Settings Rule says that there are five standards that all HCBS settings need to meet:



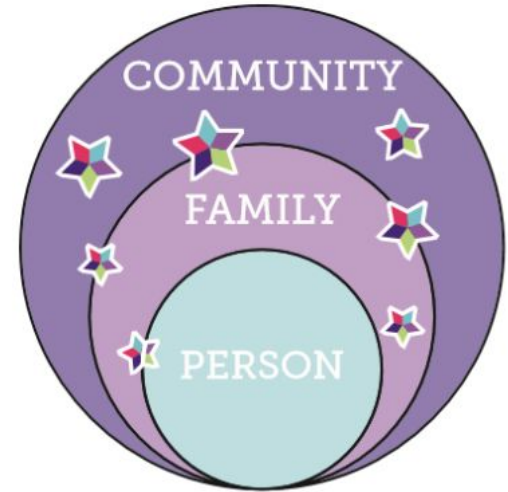
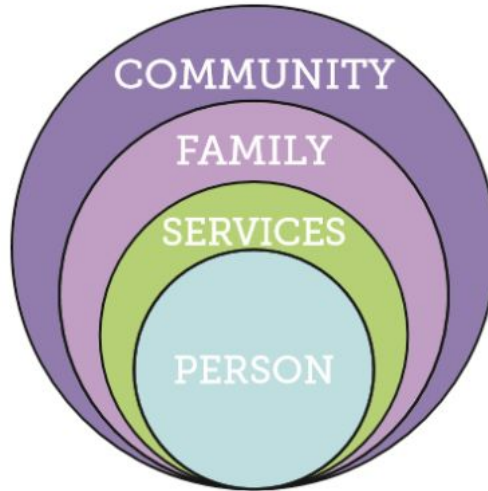
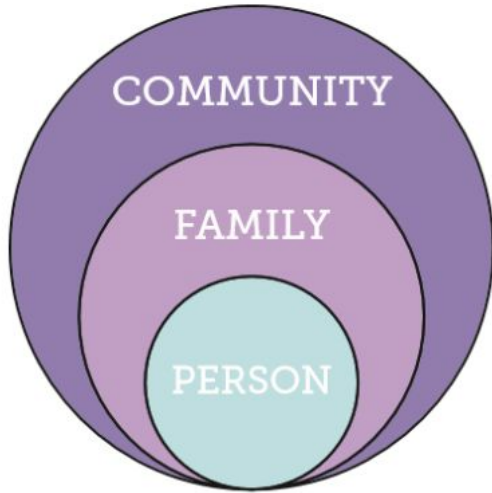
1. Integration into the Community
2. Individual Choice
3. Individual Rights
4. Autonomy
5. Choices Regarding Services and Providers

# Settings Rule Standards: #1

## 1. Integration into the Community:

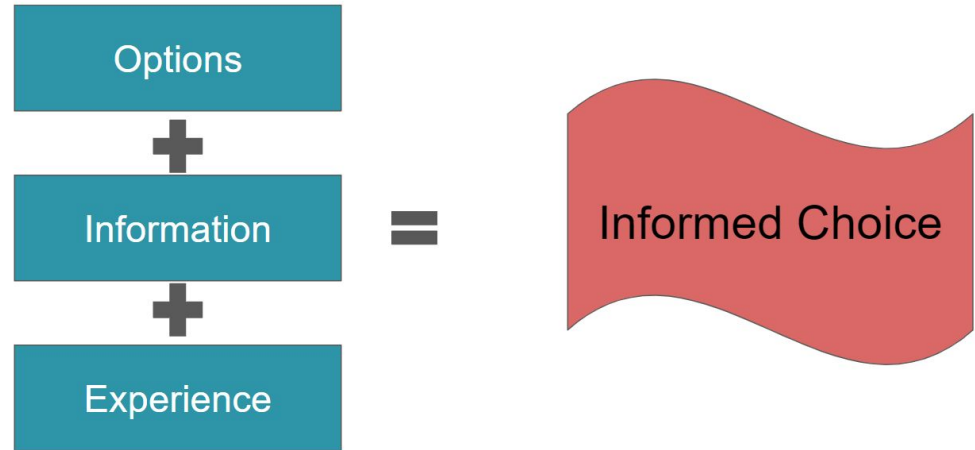
- a. You have the same chance to be an included member of your community as someone without disabilities
- b. You are not forced to go into the community if you don't want to, but you should be given the opportunity

# What Community Integration Looks Like...



# Settings Rule Standards: #2

**2. Individual Choice:**  
you have the options,  
information, and  
experience to decide  
how you want to live  
your life



# Settings Rule Standards: #3

**3. Individual Rights:** make sure you have the right to privacy, dignity and respect, and freedom from coercion and restraint

- **Privacy:** you can be alone if you want to and can decide when and with whom to share spaces, conversations, and information with
- **Dignity:** feeling good about yourself and being treated like someone that has value and worth
- **Freedom from coercion:** people cannot make you do something you do not want to do
- **Freedom from restraint:** people cannot hold you against your will, this includes physical restraints and other types of restraints
- **Respect:** being treated with kindness and consideration by others

# Settings Rule Standards: #4

4. **Autonomy** means that you do things on your own as much as possible and make choices about the activities you participate in and who you do them with



# Settings Rule Standards: #5

**5. Choice Regarding Services and Providers**  
means that you choose your services and supports and who provides them



# You should have the opportunity to...

- Find a job
- Go out into the community
- Control your own money
- Choose what you eat
- Visit family and friends
- Decide who you want to spend time, or live with
- Decide who provides your services
- Spend time with people of all abilities

# HCBS Provider Requirements for Residential Settings



# Rights Restrictions and Modifications



# Person Centered Planning (PCP)

- Person Centered Planning (PCP) is a way to help plan your services and supports in order to help meet your goals and get the life you want in your community
- The Person Centered Support Plan (PCSP) is your yearly plan that is written in your words about what your goals, preferences, and interests are
- You can make changes to the goals and services in your PCSP at any time, you do not have to wait

# How You Can Help with the Person Centered Planning Process

- Come ready to share information
- Include your support team, such as providers, support coordinators, family members, friends, medical professionals, etc.
- Make sure the Plan meets your needs and approve it!
- Give feedback on the services you receive!

**Remember:** you are the expert when it comes to your life and your involvement is important!

# Who Can Help Me?

- Your support team is there to help you!
- If you do not understand what your provider or support coordinator are telling you, let them know that you don't understand.

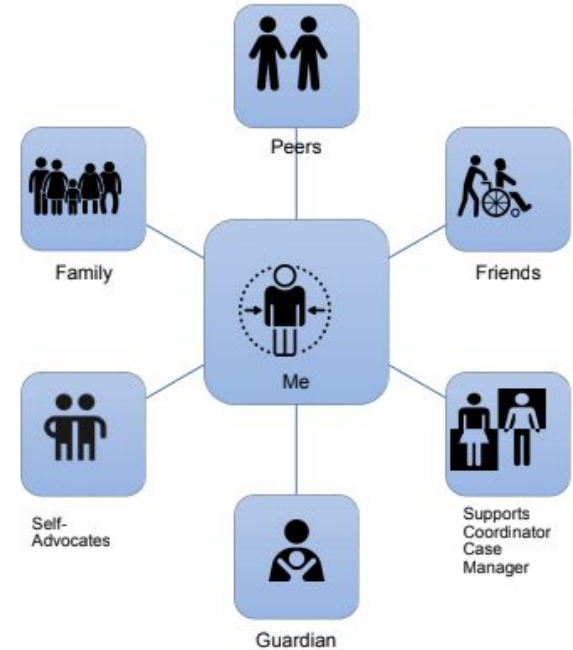


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Developmental Disabilities Institute,  
Wayne State University

# What is Self-Advocacy?



# How You Can Be a Self-Advocate in Settings

- Report any concerns about your setting to [HCBSSettings@utah.gov](mailto:HCBSSettings@utah.gov)
- Talk to your legislators about the Settings Rule and how it will impact your life
  - Find Your Legislators: <https://le.utah.gov/GIS/findDistrict.jsp>
- Tell other people you know about the Settings Rule
- Provide feedback and ideas for improvement about the services you receive to your support coordinator or provider
- Learn more about the work your state is doing
  - Participate in workgroups: email [saskarajcevic@utah.gov](mailto:saskarajcevic@utah.gov)
  - Share the flyer we are passing out with your staff/provider

# Any questions?

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